

Whereas credible allegations by contestant Robert Dornan of election fraud in the 46th Congressional District of California were received by the House of Representatives and an investigation has been conducted under the authority of the Federal Contested Election Act;

Whereas that investigation was repeatedly hindered and delayed by the lack of cooperation by the Department of Justice, the Immigration and Naturalization Service, and key witnesses;

Whereas the delay and lack of cooperation included the following:

(1) The refusal of the Immigration and Naturalization Service to provide any information to the Committee on House Oversight until the Service was subpoenaed and the failure 8 months after the subpoenas to provide the accurate information needed by the Committee.

(2) The refusal of key witnesses to provide evidence under the provisions of the Federal Contested Election Act.

(3) The refusal of the Department of Justice, in complete disregard of a resolution passed by the House of Representatives, to enforce the Federal Contested Election Act by prosecuting any of the 11 witnesses who refused to comply with the provisions of such Act which require production of evidence on a timely basis;

Whereas despite the lack of full cooperation from witnesses and government agencies, the investigation of the election contest in the 46th Congressional District of California has resulted in evidence that over 700 illegal votes were cast in that election, including votes cast by persons who were not citizens of the United States;

Whereas the evidence of illegal voting comes from the following sources:

(1) The Registrar of Voters of Orange County has indicated that 124 absentee ballots were cast illegally in the November 1996 General Election.

(2) The Committee on House Oversight's comparison of Immigration and Naturalization Service records and Orange County voter registration records provide evidence that more than 600 additional votes were illegally cast in that election;

Whereas the number of votes shown to be illegal by clear and convincing evidence is less than the post-recount 979 vote margin by which the election was decided;

Whereas it is critical that the incidence of illegal voting be reduced and eliminated in future elections and that the ability of investigators in future election contests to detect and punish voter fraud be enhanced;

Whereas the Committee on House Oversight should continue its investigation of illegal voting practices and recommend to the House of Representatives legislative measures to reduce voter fraud and improve the integrity of the voting process; and

Whereas the Committee on the Judiciary and the Committee on Appropriations should closely examine the operations of the Department of Justice and the Immigration and Naturalization Service to ensure that proper steps are being taken to enforce the laws of the United States and accurately provide information on the citizenship status of individuals, as required by Federal law: Now, therefore, be it

Resolved, That the election contest of Robert Dornan, contestant, against Loretta Sanchez, contestee, relating to the office of Representative from the 46th Congressional District of California, is dismissed.

The SPEAKER pro tempore, Mr. CAMP, ruled that the resolution did present a question of the privileges of the House under rule IX, and recognized Mr. THOMAS for one hour.

When said resolution was considered.

After debate,

On motion of Mr. THOMAS, the previous question was ordered on the resolution and on the preamble to its adoption or rejection.

Mr. HOYER moved to recommit the resolution to the Committee on House Oversight with instructions to report the resolution back to the House forthwith with the following amendment:

Strike the preamble.

The question being put, viva voce,

Will the House recommit said resolution with instructions?

The SPEAKER pro tempore, Mr. CAMP, announced that the nays had it.

Mr. HOYER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 194
Nays 215

¶7.5

[Roll No. 15]

YEAS—194

Abercrombie	Green	Moran (VA)
Ackerman	Gutierrez	Murtha
Allen	Hall (OH)	Nadler
Andrews	Hall (TX)	Neal
Baessler	Hamilton	Oberstar
Baldacci	Hastings (FL)	Obey
Barcia	Hefner	Olver
Barrett (WI)	Hilliard	Ortiz
Becerra	Hinchey	Owens
Bentsen	Hinojosa	Pallone
Berman	Holden	Pascarella
Berry	Hooley	Pastor
Bishop	Hoyer	Payne
Blagojevich	Jackson (IL)	Pelosi
Blumenauer	Jackson-Lee	Peterson (MN)
Bonior	(TX)	Pickett
Borski	Jefferson	Pomeroy
Boswell	John	Poshard
Boucher	Johnson, E. B.	Price (NC)
Boyd	Kanjorski	Rahall
Brown (CA)	Kaptur	Rangel
Brown (FL)	Kennedy (MA)	Reyes
Brown (OH)	Kennedy (RI)	Rivers
Cardin	Kennelly	Roemer
Carson	Kildee	Rothman
Clay	Kilpatrick	Roybal-Allard
Clayton	Kind (WI)	Rush
Clyburn	Kleczka	Sabo
Condit	Klink	Sanchez
Costello	Kucinich	Sanders
Coyne	LaFalce	Sandlin
Cramer	Lampson	Sawyer
Cummings	Levin	Schumer
Danner	Lewis (GA)	Scott
Davis (FL)	Lipinski	Serrano
Davis (IL)	Lofgren	Sherman
DeFazio	Lowey	Sisisky
DeGette	Luther	Skaggs
Delahunt	Maloney (CT)	Skelton
DeLauro	Maloney (NY)	Slaughter
Deutsch	Manton	Smith, Adam
Dicks	Markey	Snyder
Dingell	Martinez	Spratt
Dixon	Mascara	Stabenow
Doggett	Matsui	Stark
Dooley	McCarthy (MO)	Stenholm
Doyle	McCarthy (NY)	Stokes
Edwards	McDermott	Strickland
Engel	McGovern	Stupak
Etheridge	McHale	Tanner
Evans	McIntyre	Tauscher
Farr	McKinney	Taylor (MS)
Fattah	McNulty	Thompson
Fazio	Meehan	Thurman
Filner	Meek (FL)	Tierney
Forbes	Meeks (NY)	Torres
Ford	Menendez	Towns
Frank (MA)	Millender	Turner
Frost	McDonald	Velazquez
Gejdenson	Miller (CA)	Vento
Gephardt	Minge	Visclosky
Goode	Moakley	Waters
Gordon	Mollohan	Watt (NC)

Waxman
Wexler
Weygand

Wise
Woolsey
Wynn

Yates

NAYS—215

Aderholt	Gillmor	Packard
Archer	Gilman	Pappas
Armey	Goodlatte	Parker
Bachus	Goodling	Paul
Baker	Goss	Paxon
Ballenger	Graham	Pease
Barr	Granger	Petri
Barrett (NE)	Greenwood	Pickering
Bartlett	Gutknecht	Pitts
Barton	Hansen	Pombo
Bass	Hastert	Porter
Bateman	Hastings (WA)	Portman
Bereuter	Hayworth	Pryce (OH)
Bilbray	Hefley	Quinn
Billirakis	Herger	Radanovich
Bliley	Hill	Ramstad
Blunt	Hilleary	Redmond
Boehlert	Hobson	Regula
Boehner	Hoekstra	Riley
Bonilla	Horn	Rogan
Brady	Hostettler	Rogers
Bryant	Houghton	Rohrabacher
Bunning	Hulshof	Ros-Lehtinen
Burr	Hunter	Roukema
Burton	Hutchinson	Royce
Calvert	Hyde	Ryun
Camp	Inglis	Salmon
Campbell	Istook	Sanford
Canady	Jenkins	Saxton
Cannon	Johnson (CT)	Schaefer, Dan
Castle	Johnson, Sam	Schaffer, Bob
Chabot	Jones	Sensenbrenner
Chambliss	Kasich	Sessions
Chenoweth	Kelly	Shadegg
Christensen	Kim	Shaw
Coble	King (NY)	Shays
Coburn	Kingston	Shimkus
Collins	Klug	Shuster
Combest	Knollenberg	Skeen
Cook	Kolbe	Smith (MI)
Cooksey	LaHood	Smith (NJ)
Cox	Largent	Smith (TX)
Crapo	Latham	Smith, Linda
Cubin	LaTourette	Snowbarger
Cunningham	Lazio	Souder
Davis (VA)	Leach	Spence
Deal	Lewis (CA)	Stearns
DeLay	Lewis (KY)	Stump
Diaz-Balart	Linder	Sununu
Dickey	Livingston	Talent
Doolittle	LoBiondo	Tauzin
Dreier	Lucas	Taylor (NC)
Duncan	Manzullo	Thomas
Dunn	McCollum	Thornberry
Ehlers	McCrery	Thune
Ehrlich	McDade	Tiahrt
Emerson	McHugh	Trafficant
English	McInnis	Upton
Everett	McIntosh	Walsh
Ewing	McKeon	Wamp
Fawell	Metcalfe	Watkins
Foley	Mica	Watts (OK)
Fossella	Moran (KS)	Weldon (FL)
Fowler	Morella	Weldon (PA)
Fox	Myrick	Weller
Franks (NJ)	Nethercutt	White
Frelinghuysen	Neumann	Whitfield
Galleghy	Ney	Wicker
Ganske	Northup	Wolf
Gekas	Norwood	Young (AK)
Gibbons	Nussle	Young (FL)
Gilchrest	Oxley	

NOT VOTING—21

Buyer	Furse	Peterson (PA)
Callahan	Gonzalez	Riggs
Clement	Harman	Rodriguez
Conyers	Johnson (WI)	Scarborough
Crane	Lantos	Schiff
Ensign	Miller (FL)	Smith (OR)
Eshoo	Mink	Solomon

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. CAMP, announced that the yeas had it.

Mr. HOYER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of

the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 378
affirmative { Nays 33

¶7.6 [Roll No. 16]
YEAS—378

Abercrombie	Doyle	Kennelly
Ackerman	Dreier	Kildee
Aderholt	Duncan	Kilpatrick
Allen	Dunn	Kim
Andrews	Ehlers	Kind (WI)
Archer	Ehrlich	King (NY)
Armey	Emerson	Klecicka
Bachus	Engel	Klink
Baesler	English	Klug
Baker	Ensign	Knollenberg
Baldacci	Etheridge	Kolbe
Barcia	Evans	Kucinich
Barrett (NE)	Everett	LaFalce
Barrett (WI)	Ewing	LaHood
Barton	Farr	Lampson
Bass	Fattah	Largent
Bateman	Fawell	Latham
Becerra	Fazio	LaTourette
Bentsen	Filner	Lazio
Bereuter	Foley	Leach
Berman	Forbes	Levin
Berry	Ford	Lewis (CA)
Bilbray	Fossella	Lewis (GA)
Bilirakis	Fowler	Linder
Bishop	Fox	Lipinski
Blagojevich	Frank (MA)	LoBiondo
Bliley	Franks (NJ)	Lofgren
Blumenauer	Frelinghuysen	Lowey
Blunt	Frost	Lucas
Boehlert	Gallegly	Luther
Boehner	Ganske	Maloney (CT)
Bonilla	Gejdenson	Maloney (NY)
Bonior	Gephardt	Manton
Borski	Gibbons	Manzullo
Boswell	Gilchrest	Markey
Boucher	Gillmor	Martinez
Boyd	Gilman	Mascara
Brady	Goode	Matsui
Brown (CA)	Goodlatte	McCarthy (MO)
Brown (FL)	Goodling	McCarthy (NY)
Brown (OH)	Gordon	McCollum
Bryant	Goss	McCrery
Bunning	Graham	McDade
Burr	Granger	McDermott
Camp	Green	McGovern
Campbell	Greenwood	McHale
Canady	Gutierrez	McHugh
Cannon	Hall (OH)	McInnis
Cardin	Hall (TX)	McIntyre
Carson	Hamilton	McKeon
Castle	Hansen	McKinney
Chambliss	Hastert	McNulty
Christensen	Hastings (FL)	Meehan
Clay	Hastings (WA)	Meek (FL)
Clayton	Hayworth	Meeks (NY)
Clyburn	Hefley	Menendez
Coble	Hefner	Metcalf
Coburn	Hill	Millender-
Collins	Hillery	Donald
Combest	Hilliard	Miller (CA)
Condit	Hinchey	Minge
Conyers	Hinojosa	Moakley
Cook	Hobson	Mollohan
Cooksey	Hoekstra	Moran (KS)
Costello	Holden	Moran (VA)
Cox	Hooley	Morella
Coyne	Horn	Murtha
Cramer	Houghton	Myrick
Crapo	Hoyer	Nadler
Cummings	Hulshof	Neal
Cunningham	Hutchinson	Nethercutt
Danner	Hyde	Neumann
Davis (FL)	Inglis	Ney
Davis (IL)	Istook	Northup
Davis (VA)	Jackson (IL)	Nussle
Deal	Jackson-Lee	Oberstar
DeFazio	(TX)	Obey
DeGette	Jefferson	Olver
Delahunt	Jenkins	Ortiz
DeLauro	John	Owens
DeLay	Johnson (CT)	Oxley
Deutsch	Johnson, E. B.	Packard
Diaz-Balart	Johnson, Sam	Pallone
Dickey	Kanjorski	Pappas
Dicks	Kaptur	Parker
Dingell	Kasich	Pascarell
Dixon	Kelly	Pastor
Doggett	Kennedy (MA)	Paxon
Dooley	Kennedy (RI)	Payne

Pease	Sanford	Tauzin
Pelosi	Sawyer	Taylor (MS)
Peterson (MN)	Saxton	Thomas
Peterson (PA)	Scarborough	Thompson
Petri	Schaefer, Dan	Thornberry
Pickering	Schumer	Thune
Pickett	Scott	Thurman
Pitts	Serrano	Tierney
Pomeroy	Sessions	Torres
Porter	Shadegg	Towns
Portman	Shaw	Traficant
Poshard	Shays	Turner
Price (NC)	Sherman	Upton
Pryce (OH)	Shimkus	Velazquez
Quinn	Shuster	Vento
Radanovich	Sisisky	Visclosky
Rahall	Skaggs	Walsh
Ramstad	Skeen	Wamp
Rangel	Skelton	Waters
Redmond	Slaughter	Watkins
Regula	Smith (MI)	Watt (NC)
Reyes	Smith (NJ)	Watts (OK)
Riley	Smith (TX)	Waxman
Rivers	Smith, Adam	Weldon (FL)
Rodriguez	Snowbarger	Weldon (PA)
Roemer	Snyder	Weller
Rogers	Souder	Wexler
Ros-Lehtinen	Spratt	Weygand
Rothman	Stabenow	White
Roukema	Stark	Whitfield
Roybal-Allard	Stenholm	Wicker
Rush	Stokes	Wolf
Ryun	Strickland	Woolsey
Sabo	Stupak	Wynn
Salmon	Sununu	Yates
Sanchez	Talent	Young (AK)
Sanders	Tanner	Young (FL)
Sandlin	Tauscher	

NAYS—33

Ballenger	Gutknecht	Pombo
Barr	Herger	Rogan
Bartlett	Hostettler	Rohrabacher
Burton	Hunter	Royce
Calvert	Jones	Schaffer, Bob
Chabot	Kingston	Sensenbrenner
Chenoweth	Lewis (KY)	Spence
Crane	McIntosh	Stearns
Cubin	Mica	Stump
Doolittle	Norwood	Taylor (NC)
Gekas	Paul	Tiahrt

NOT VOTING—19

Buyer	Harman	Schiff
Callahan	Johnson (WI)	Smith (OR)
Clement	Lantos	Smith, Linda
Edwards	Livingston	Solomon
Eshoo	Miller (FL)	Wise
Furse	Mink	
Gonzalez	Riggs	

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶7.7 VOTER ELIGIBILITY VERIFICATION

Mr. PEASE moved to suspend the rules and pass the bill (H.R. 1428) to amend the Immigration and Nationality Act to establish a system through which the Commissioner of Social Security and the Attorney General respond to inquiries made by election officials concerning the citizenship of voting registration applicants and to amend the Social Security Act to permit States to require individuals registering to vote in elections to provide the individual's Social Security number; as amended.

The SPEAKER pro tempore, Mr. GIBBONS, recognized Mr. PEASE and Mr. WATT of North Carolina, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. GIBBONS, announced that two-thirds of

the Members present had voted in the affirmative.

Mr. WATT of North Carolina objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 210
Nays 200

¶7.8 [Roll No. 17]
YEAS—210

Aderholt	Gilchrest	Norwood
Archer	Gillmor	Nussle
Armey	Gilman	Packard
Bachus	Gingrich	Pappas
Baker	Goode	Parker
Ballenger	Goodlatte	Paxon
Barr	Goodling	Pease
Barrett (NE)	Goss	Peterson (PA)
Bartlett	Graham	Petri
Barton	Granger	Pickering
Bass	Greenwood	Pickett
Bateman	Gutknecht	Pitts
Bereuter	Hall (TX)	Pombo
Bilbray	Hansen	Porter
Bilirakis	Hastert	Portman
Bliley	Hastings (WA)	Pryce (OH)
Blunt	Hayworth	Quinn
Boehner	Hefley	Radanovich
Bonilla	Herger	Ramstad
Brady	Hill	Redmond
Bryant	Hilleary	Regula
Bunning	Hobson	Riley
Burr	Hoekstra	Rogan
Burton	Horn	Rogers
Calvert	Hostettler	Rohrabacher
Camp	Hulshof	Roukema
Campbell	Hunter	Royce
Canady	Hyde	Ryun
Cannon	Inglis	Salmon
Castle	Istook	Sanford
Chambliss	Jenkins	Saxton
Chenoweth	Johnson (CT)	Scarborough
Christensen	Johnson, Sam	Schaefer, Dan
Coble	Jones	Sensenbrenner
Coburn	Kasich	Sessions
Collins	Kelly	Shaw
Combest	Kim	Shimkus
Cook	King (NY)	Shuster
Cooksey	Kingston	Skeen
Cox	Klug	Smith (MI)
Crane	Knollenberg	Smith (NJ)
Crapo	Kolbe	Smith (TX)
Cubin	LaHood	Snowbarger
Cunningham	Latham	Solomon
Davis (VA)	LaTourette	Souder
Deal	Lazio	Spence
DeLay	Leach	Stearns
Deutsch	Lewis (CA)	Stump
Dickey	Lewis (KY)	Sununu
Doolittle	Linder	Talent
Dreier	Lipinski	Tauzin
Duncan	Livingston	Taylor (MS)
Dunn	LoBiondo	Taylor (NC)
Ehlers	Lucas	Thomas
Ehrlich	Manzullo	Thornberry
Emerson	McCollum	Thune
English	McCrery	Tiahrt
Ensign	McDade	Turner
Ewing	McHugh	Upton
Fawell	McInnis	Wamp
Foley	McIntosh	Watkins
Fossella	McKeon	Watts (OK)
Fowler	Metcalf	Weldon (FL)
Fox	Mica	Weldon (PA)
Franks (NJ)	Moran (KS)	Weller
Frelinghuysen	Myrick	White
Gallegly	Nethercutt	Whitfield
Ganske	Neumann	Wicker
Gekas	Ney	Wolf
Gibbons	Northup	Young (FL)

NAYS—200

Abercrombie	Bentsen	Boswell
Ackerman	Berman	Boucher
Allen	Berry	Boyd
Andrews	Bishop	Brown (CA)
Baesler	Blagojevich	Brown (FL)
Baldacci	Blumenauer	Brown (OH)
Barcia	Boehlert	Cardin
Barrett (WI)	Bonior	Carson
Becerra	Borski	Chabot